

JS-6

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

KENNETH ARMBRUSTER,  
Plaintiff,  
v.  
D. SAMUAL, et al.,  
Defendants.

Case No. CV 22-8461-ODW (MRW)

**ORDER DISMISSING ACTION  
WITHOUT PREJUDICE ON  
PLAINTIFF'S REQUEST**

1. This is a pro se civil action involving an inmate in a California prison. Plaintiff's complaint alleges problems with a toilet in his cell and Plaintiff's mental health medications. (Docket # 1, 8.)

2. Magistrate Judge Wilner issued several orders to screen the original complaint [28 U.S.C. § 1915A] and in response to other filings from Plaintiff. (Docket # 8, 10, 14.) Judge Wilner's screening order dismissed the complaint with leave to amend for failure to state a legitimate cause of action. The screening order gave Plaintiff the option to amend his complaint or to dismiss the action voluntarily. (Docket # 8 at 3.)

1           3.     In response, Plaintiff moved to withdraw / dismiss the action.  
2 (Docket # 16.)

3           4.     The request is GRANTED. The action will be dismissed  
4 without prejudice.

5           5.     The Clerk is directed to close the action.

6           IT IS SO ORDERED.

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9 Dated: April 6, 2023

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HON. OTIS D. WRIGHT II  
11 UNITED STATES DISTRICT JUDGE

12 Presented by:

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16 HON. MICHAEL R. WILNER  
17 UNITED STATES MAGISTRATE JUDGE  
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